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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE THOMAS J. WHELAN)

UNITED STATES OF AMERICA, Plaintiff, v. TOMAS SANTILLANES-LOPEZ, Defendant.	Case No.: 07cr3108-W Date: April 1, 2008 Time: 2:00 p.m. **NOTICE OF MOTIONS AND MOTIONS TO:** **(1) DISMISS THE INDICTMENT FOR FAILURE TO PRESENT EXCULPATORY EVIDENCE TO THE GRAND JURY AND DISCLOSE GRAND JURY TRANSCRIPTS;** **(2) SUPPRESS STATEMENTS; AND,** **(3) COMPEL FURTHER DISCOVERY.**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND
PAUL COOK, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on April 1, 2008, at 2:00 p.m., or as soon thereafter as counsel may be heard, the accused, Tomas Santillanes-Lopez, by and through his attorneys, Jason I. Ser and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the motions outlined below.

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MOTIONS

Defendant, Mr. Santillanes-Lopez, by and through his attorneys, Jason I. Ser and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

(1) Dismiss the Indictment for Failure to Present Exculpatory Evidence to the Grand Jury and disclose grand jury transcripts;
(2) Suppress Statements; and,
(3) Compel Further Discovery.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and any and all other materials that may come to this Court's attention at or before the time of the hearing on these motions.

Respectfully submitted,

DATED: March 18, 2008

/s/ Jason I. Ser
JASON I. SER
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